



CALIFORNIA STATE PERSONNEL BOARD

801 Capitol Mall • Sacramento, CA 95814

NOTICE OF PROPOSED AMENDMENT OF REGULATION

**California Code of Regulations
Title 2, Administration
Division 1, Administrative Personnel**

DATE: September 21, 2000

TO: ALL STATE AGENCIES AND EMPLOYEE ORGANIZATIONS

SUBJECT: PROPOSED AMENDMENT OF SPB RULE 548.40 – COMPETITIVE EXAMINATIONS FOR CAREER EXECUTIVE ASSIGNMENT POSITIONS

On June 15, 2000, the State Personnel Board provided notice that it intended to amend the Career Executive Assignment (CEA) Competitive Examinations Regulation, Section 548.40 of Title 2 of the California Code of Regulations (CCR), to comply with Alexander v. State Personnel Board (2000) 80 Cal.App.4th 526.

On July 6, 2000, the Board held a public hearing on the proposed amendment and took the matter under submission. The Board has reviewed the oral and written public comments it received. After reviewing those comments, the Board is considering further modifications to the regulation. A copy of the modified proposed amended regulation that the Board is now considering is attached hereto.

MODIFIED PROPOSED AMENDED REGULATION:

The attached modified proposed amended regulation requires an appointing power that conducts a CEA examination to promulgate the job-related evaluation criteria that will be used to assess the qualifications of each candidate for the CEA position to be filled, to assess each candidate's qualifications for that position against the evaluation criteria, and to compare and rank each candidate against all other candidates based upon that assessment. Successful candidates must be divided into 6 ranks according to their scores. The appointing power must notify each candidate in writing of his or her ranking. The candidate appointed as a result of a CEA examination must be well-qualified to perform the duties of the position and within one of the top three ranks. If there are fewer than 5 candidates in the top three ranks, the appointing power may consider candidates in the next lower ranks until there are at least 5 candidates available for consideration. For each CEA examination, the appointing power must maintain an

examination file for three years that includes the specific job-related evaluation criteria and selection procedures that were used in the examination, documentation on how those criteria were applied to the candidates, documentation as to the competitiveness of the candidates' qualifications relative to each other, and the appointing power's rationale for choosing the successful candidate.

ADDITIONAL PUBLIC COMMENTS:

To assist it in deciding whether to adopt the modified proposed amended regulation, the Board welcomes additional written public comments. Those written comments must be received before 5:00 p.m. on **October 10, 2000** to be considered by the Board. Written comments should be directed to the attention of Carol Ong, State Personnel Board, P.O. Box 944201, Sacramento, CA 94244-2010.

CONTACT PERSON:

If you have any questions regarding this action, please contact Carol Ong at the State Personnel Board, P.O. Box 944201, Sacramento, CA 94244-2010, or telephone (916) 653-1397.

LAURA M. AGUILERA, Chief
Personnel Resources and Innovations Division

Attachment: Text of Proposed Amendment of Regulation